

Report of the Strategic Director of Regeneration and Culture to the meeting of the Area Planning Panel (KEIGHLEY AND SHIPLEY) to be held on 29 April 2015

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Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item No.</u>	<u>Site</u>	<u>Ward</u>
1.	18 Reins Avenue Baildon BD17 7NT - 15/00560/HOU [Approve] (Page 1)	Baildon
2.	5 Elm Grove Silsden BD20 0PU - 15/00460/HOU [Approve] (Page 7)	Craven
3.	Salts Mill Weir Downstream Of Footbridge/Roberts Park Victoria Road/Higher Coach Road Saltaire Shipley - 15/00040/FUL [Approve] (page 11)	Shipley
4.	The Lodge Roberts Park Coach Road Baildon BD17 7LT - 15/00044/LBC [Approve] (Page 29)	Shipley

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Portfolio:
Housing, Planning & Transport

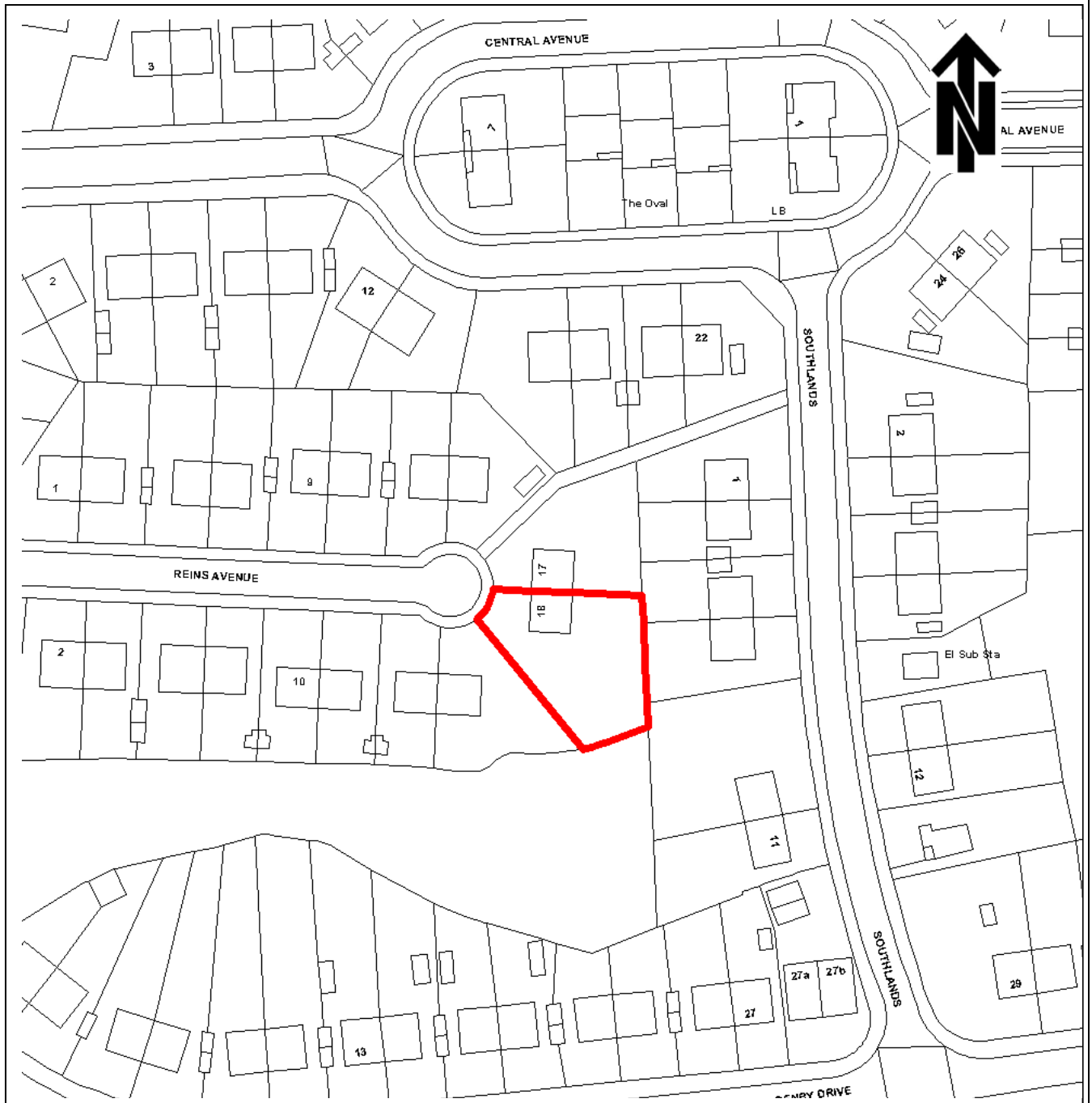
**Overview & Scrutiny Committee
Area:**
Regeneration and Economy



Area Planning Panel (Keighley & Shipley)

15/00560/HOU

29 April 2015



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<p>ITEM NO. : 1</p>	<p>LOCATION: 18 Reins Avenue Baildon</p>
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29 April 2015

Item Number: 1
Ward: Baildon
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
15/00560/HOU

Type of Application/Proposal and Address:

Householder planning application for construction of a two storey side extension; single storey side and rear extensions; conversion of the roof space to form an additional bedroom and the addition of a rear dormer.
18 Reins Avenue Baildon BD17 7NT

Applicant:
Mr Neil Morris

Agent:
N/A

Site Description:

The application property is a semi detached dwelling faced in render and located at the end of a cul de sac lined by similar semis. The house occupies a corner plot with a sizeable garden extending behind. Due to the slope of the street the property appears slightly elevated and occupies a prominent position at the head of the cul-de-sac. The property faces west down the sloping street and the adjoining pair of semis at 14/16 Reins Avenue is arranged at 90 degrees to the application property. 2 detached outbuildings to the side of the property will be demolished to make way for the extensions.

Relevant Site History:
None relevant

Replacement Unitary Development Plan (RUDP):

Allocation
Unallocated

Proposals and Policies

D1 – General Design Considerations
UR3 – The Local Impact of Development
TM19A – Traffic management and road safety
Householder Supplementary Planning Document

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Baildon - The Town Council is concerned that the size of this extension will make the property incongruous with the immediate surrounding community.

Publicity and Number of Representations:

The application was publicised with neighbour notification letters.

A ward councillor has requested that the application be determined by the area planning panel if approval is recommended.

Summary of Representations Received:

The ward councillor is concerned that, relative to the size of the host property, the proposed extensions are substantial and would lead to a property totally out of scale with the rest of the houses in Reins Avenue. This proposal constitutes over development of the site. There is the potential for future parking and traffic issues in Reins Avenue which is a narrow Cul de Sac

Consultations:

None

Summary of Main Issues:

Impact on surrounding environment

Impact on neighbours

Highway safety

Appraisal:

The main element of the proposal is the construction of a 2 storey side extension. A single storey side extension would also project out from the side of the two storey extension to provide a larger kitchen at ground floor. Another single storey rear extension would provide a new lounge projecting 2.8 metres immediately behind the main dwelling. The application also shows a loft conversion providing a 5th bedroom and installation of a 2.8 metre wide rear dormer.

The host property is approximately 6 metres wide. The 2 storey extension would be approximately 3.8 metres in width, with the splayed single storey extension projecting 2.3 metres beyond the side of the two storey extension at its widest point. The rear dormer would be 2.8 metres wide.

Impact on Local Environment:

The two storey extension is set back by one metre from the front wall of the main house as advised in the Householder Supplementary Planning Document but originally it continued the line of the ridge of the main house - without a corresponding drop in the ridge. Officers agreed with the Ward Councillor's comment that this lack of subordination gave an overbearing effect and an unbalanced appearance to the original pair of semis. Also the rear dormer was set too far forward and had the appearance of being built up from the rear wall of the property. It was clad in PVC. These features were contrary to design principles in the Council's Householder Supplementary Planning Document.

Baildon Town Council had also raised objection to the over dominant and bulky nature of the side extension which would detract from the appearance of the original property.

Consequently, amended plans were requested to address these design flaws and were received on 8th April.

The revised two storey extension is now shown set back by one metre from the front of the house but with a corresponding drop in the ridge; it is less than two thirds of the width of the host property.

The dormer has been amended so that it is set unobtrusively within the roof of the property and is to be clad solely on the sides - in tiles to match the main house. This accords with design guidance for dormers contained in the Householder SPD.

The revised proposals are now considered to be subservient to the host property and will retain the balance and character of the original pair of semis. Although prominently positioned at the top of the cul de sac the subservience of the extensions will mean they will not detract from the appearance of the street scene. The extensions are designed in matching materials and are now considered to accord with policies D1 and UR3 and the Householder SPD

Impact on Neighbouring Occupants:

The rear extension would project less than 3.0 metres from the back wall of the original house and this is in accordance with design principles for rear extensions in the Householder SPD. The extensions will have no harmful effects on occupiers of the adjoining semi at No 17 Reins Avenue.

The only property potentially affected is the adjacent semi at 16 Reins Avenue. This stands at 90 degrees to the application property. The side elevation wall of No. 16 facing towards the application site has a door and window at ground floor level and a bathroom window at first floor level. The ground floor window is a small side window to the kitchen.

The extensions will introduce habitable room windows at 1st floor level closer to the property boundary than at present. However, the windows in the front wall of the side extension would look over the street and the front garden to the adjoining semi. They would not give direct views towards the side elevation and the windows contained within that wall. The side garden is not presently used for sitting out and is already overlooked from within the garden space of No. 18. It is not considered that the proposed extensions would cause significant harm to privacy in either garden or the rooms of the adjoining house at No 16.

The corner of the two storey extension would be 2.6 metres off the boundary with 16 Reins Avenue. The plot is triangular in shape so the front of the extension is closer to the boundary than the rear.

The rear part of the two storey extension would be 10 metres from the common boundary. The single storey portion will be 4.1 metres from the boundary at the front and 7.7 metres at the rear. There is a side facing bedroom window but this is towards the rear of the extension and positioned well over 7 metres to the common boundary.

The proposed extensions would not directly overlook or overshadow the occupiers of the neighbouring property to the side.

The property is within a large plot and it is not considered that the extensions will overlook or overshadow neighbours, the design in terms of impact on neighbours, is in accordance with the guidance in the householder SPD.

Concerns have been raised that the plans are unclear as they are not dimensioned. However, the plans are to scale at A4 size; the existing outbuildings have also been shown dotted to aid understanding of the size of the proposal.

Impact on Highway Safety:

A driveway will be retained with adequate off street parking to serve the dwelling. The additional accommodation is to make what is a relatively small 2 bedroom semi suitable for a family occupation by providing a larger kitchen at ground floor and two additional bedrooms above. There is no intention to create two dwellings.

It is noted that there may be some short term disruption and inconvenience to neighbours during the build due to the restrictions of the cul-de-sac. It is not known how the extension would be constructed and whether the builder would need to store skips in the cul de sac. This would have to be agreed with the Highway Authority but would not be a reason to refuse planning permission and will not raise significant highway safety issues.

Community Safety Implications:

None

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance quality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission

The impact of the development, as amended, has been assessed but it is considered that it will have no significant adverse effects on local amenity or neighbours. It is considered to comply with relevant saved Policies D1 and UR3 of the Replacement Unitary Development Plan for the Bradford District (2005) with the Council's approved Householder supplementary planning guidance (2012) and with the National Planning Policy Framework (2012).

Conditions of Approval

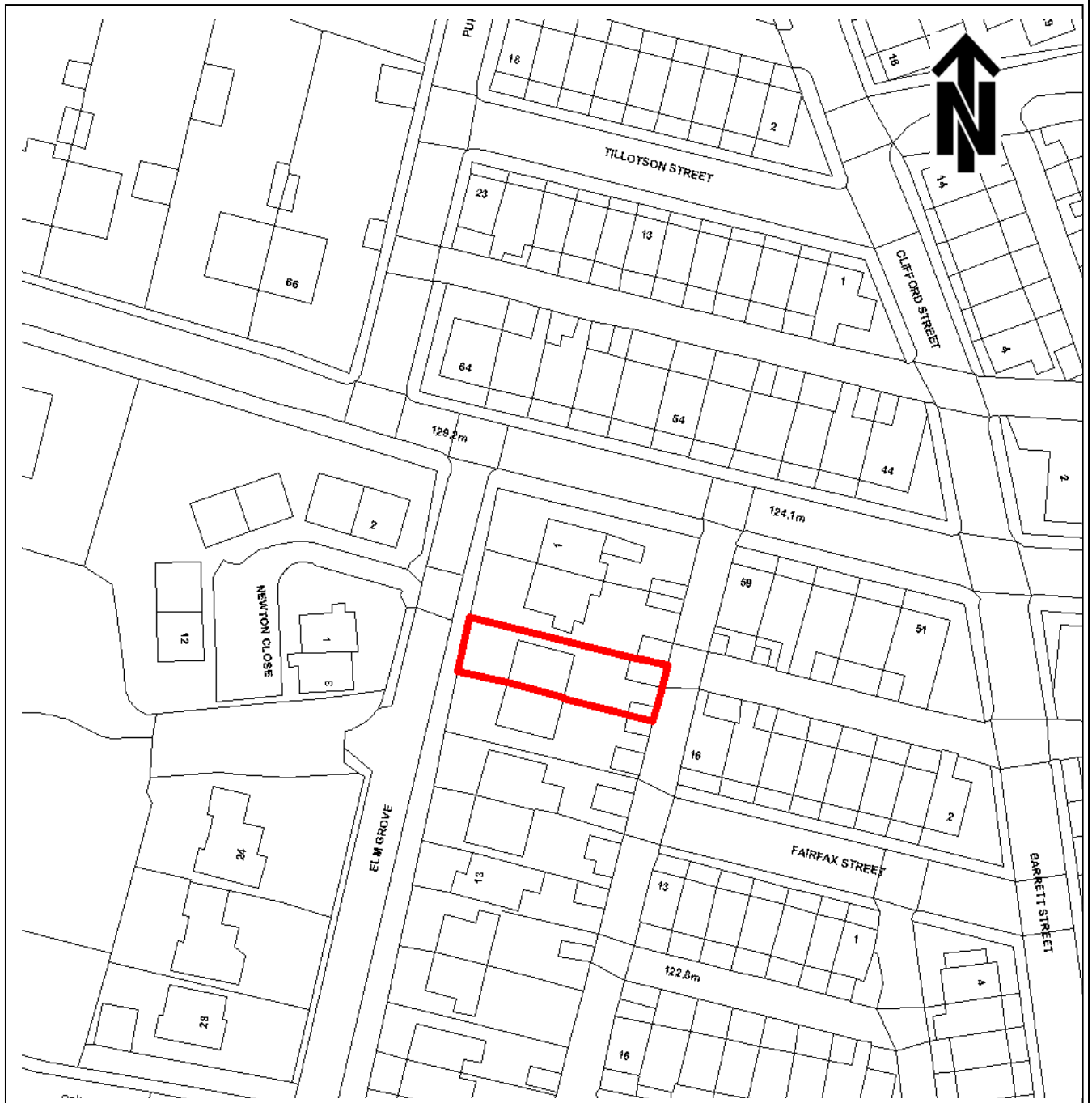
1. The development hereby permitted shall be constructed of facing and roofing materials to match the existing building as specified on the submitted application.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

Area Planning Panel (Keighley & Shipley)

15/00460/HOU

29 April 2015



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<p>ITEM NO. : 2</p>	<p>LOCATION: 5 Elm Grove Silsden</p>
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29 April 2015

Item Number: 2
Ward: CRAVEN
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
15/00460/HOU

Type of Application/Proposal and Address:
Householder application for the construction of a single storey extension to the rear.
5 Elm Grove Silsden BD20 0PU

Applicant:
Mr R Copeland

Agent:
Michael Ainsworth

Site Description:
The site is a 2 storey semi detached dwelling situated in a suburban residential area in the town of Silsden. The east side of Elm Grove is lined by a row of similar semi detached houses.

Relevant Site History:
None recorded.

Replacement Unitary Development Plan (RUDP):
Allocation
Unallocated

Proposals and Policies
UR3 The Local Impact of Development
D1 General Design Considerations
D4 Community Safety

The National Planning Policy Framework (NPPF):
The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Silsden Town Council has no objections

Publicity and Number of Representations:

Publicised by neighbour notification letters. No letters of objection were received

Summary of Representations Received:

None

Consultations:

Silsden Town Council has no objections

Summary of Main Issues:

1. Impact on the Local Environment
2. Impact on Neighbouring Occupants
3. Impact on Highway Safety

Appraisal:

Impact on the Local Environment

The proposed extension would be on the back wall of the semi and would replace a small upvc lobby/porch. The extension would measure 3.5 metres x 4.65 metres.

It would be of subservient scale and is considered to be in keeping with the character, scale and design of the existing dwelling. The proposed materials are reclaimed natural stone and new grey slates. These would match the materials of the existing dwelling and the surrounding properties.

The back wall can be glimpsed from a rear service road behind the houses, but the scale, form, design and materials of the extension are all such that there will be no harm to local character or street scene and the design is appropriate and acceptable.

Impact on Neighbouring Occupants

Although the proposed extension projects by 3.5m from the rear, it has been positioned set in from the boundary by 50cm to mitigate any impact on the adjoining neighbour's windows. Furthermore the roof has been designed to bring the ridge away from the common boundary to further reduce the impact of the extension in terms of any effect on light or outlook. The eaves height, at 3.3 metres is considered acceptable.

No windows are proposed in the side windows facing towards the adjoining properties on either side. The only window looks out across the rear service road. A door shown in the north wall would serve a utility room and is a solid door. Two rooflights in the south facing roof plane are at a high level in the room and would not give any views cross adjoining gardens.

So as to protect adjoining occupiers, it is proposed to remove permitted development rights to install windows in the side walls of the extension at a later date.

The proposal is not considered to have any significant negative impact on the amenity of occupants of neighbouring dwellings and no objections have been received.

Impact on Highway Safety

The proposal has no impact on highway safety because no changes to existing access or parking arrangements are involved.

Community Safety Implications:

There are no known community safety implications

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance quality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission

The proposed extension is considered to relate satisfactorily to the character of the existing dwelling and adjacent properties. The impact of the extension upon the occupants of neighbouring properties has been assessed and it is considered that it will not have a significantly adverse effect upon their residential amenity. As such this proposal is considered to be in accordance with Policy UR3 and D1 of the Replacement Unitary Development Plan and the Householder Supplementary Planning Document.

Conditions of Approval

1. The development hereby permitted shall be constructed of facing and roofing materials to match the existing building as specified on the submitted application.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the side elevations of the extension without prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy UR3 of the Replacement Unitary Development Plan.

29 April 2015

Item Number: 3
Ward: SHIPLEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
15/00040/FUL

Type of Application/Proposal and Address:

A full planning application for the construction of an Archimedes screw hydropower scheme and associated fish passes at Salts Mill weir, downstream of the footbridge to Roberts Park, Victoria Road/Higher Coach Road, Saltaire, Shipley.

Applicant:

Neill Morrison, City of Bradford Metropolitan District Council

Agent:

Jonathan Whitmore, JBA Consulting

Site Description:

The site of about 5,000sq.m. comprises four separate sections, the main element of which covers access roads and amenity space off Higher Coach Road and parts of Roberts Park and the north bank, bed and weir of the River Aire. The other three elements cover a small section of Roberts Park and its boundary wall, a children's play park and the weir adjacent to 'New Mill' on the river's south bank. The surrounding area includes a mix of residential property, such as post-war semi-detached (Council) housing, newly built units and flat conversions in listed buildings, along with retail premises, the main body of Roberts Park itself, a footbridge over the River Aire linking its north and south banks and NHS administrative offices. The site is on the northern edge of both the Saltaire World Heritage Site and its conservation area.

Relevant Site History:

Companion listed building consent application - 15/00044/LBC: Temporary dismantling of three stone pillars, associated metal railings and stone plinth, and formation of temporary pedestrian access in boundary wall to Coach Road, associated with construction of new hydropower scheme, also presented to this Area Planning Panel for determination.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is not allocated for any specific land-use in the RUDP however it is included within the Saltaire World Heritage Site and its Conservation Area, and part is within the Green Belt. The site is also within a 500-metre buffer to 'Ancient and Semi-Natural Woodland' at Walker, Midgeley and Fairbank Woods that include a 'Site of Ecological or Geological Importance' and within a 2km buffer to 'Trench Meadows', a Site of special Scientific Interest. Taking account of policies saved for the purposes of formulating the Local Plan for Bradford, the following RUDP policies are applicable to the proposal.

Proposals and Policies

UR2: Promoting Sustainable Development
UR3: The Local Impact of Development
TM2: Impact of Traffic and its Mitigation
TM19A: Traffic Management and Road Safety
D1: General Design Considerations
D2: Energy Efficiency and Sustainable Design
D3: Access for People with Disabilities
D4: Community Safety
D5: Landscaping
D6: Meeting the Needs of Pedestrians
D7: Meeting the Needs of Cyclists
BH4: Alteration, Extension or Substantial Demolition of Listed Buildings
BH4A: Setting of Listed Buildings
BH7: New Development in Conservation Areas
BH9: Demolition within a Conservation Area
BH10: Open Space Within or Adjacent to Conservation Areas
BH11: Space about Buildings in Conservation Areas
S/BH14: World Heritage Site
BH16: Historic Parks and Gardens
OS1: Urban Greenspace
OS2: Recreation Open Space
GB1: New Building in the Green Belt
NE3 and NE3A: Landscape Character Areas
NE4: Trees and Woodlands
NE5: Retention of Trees on Development Sites
NE6: Protection of Trees During Development
NE9: Other Sites of Landscape or Wildlife Interest
NE10: Protection of Natural Features and Species
NE11: Ecological Appraisals
NE12: Landscape and Wildlife Enhancement
NE13: Wildlife Corridor Network
NR12: Renewable Energy
NR15A: Washland
NR17A: Water Courses and Water Bodies
P7: Noise

The National Planning Policy Framework (NPPF):

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- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Not applicable

Publicity and Number of Representations:

Receipt of the application was publicised by means of neighbour notification letters, site notices (which were removed and so had to be replaced) and a press notice. The publicity period expired on 2 March 2015.

At the time of writing this report the Local Planning Authority has received 53 objections, including one from the Member of Parliament.

20 supporting comments, including two from Shipley Ward councillors.

One further general comment was also received.

Panel members will be verbally updated of any further representations received.

Summary of Representations Received:

In Objection:

1. The proposal sets a bad precedent.
2. The proposal cannot be justified against the NPPF and Planning Policy Statement 5: 'Planning for the Historic Environment'.
3. Allegations that the proposal is 'another complete and utter waste of Bradford Council money', that 'this is nothing more than a vanity project', that it is an expensive gimmick and that progressing this application 'continues to waste tax payers money on a scheme that is not viable', particularly during a period of supposed austerity and Council cutbacks.
4. Allegations that the proposal is simply to take advantage of a government subsidy but which is vulnerable to amendment or even cancellation and that the scheme is a vanity project to encourage Green Party councillors to support the Labour group in a coalition when the Council had no overall control.
5. Variations in Council-published data on the turbine's energy production ranging between 244 and 371 Megawatt hours/year. The project will produce only about 0.5% of the Council's energy with diminishing returns over time. It will generate the total annual energy needs of fewer than 20 average households or less than 0.1% of the dwellings in Bradford. The generating capacity of river schemes is minuscule, 83 kW is insufficient to power much more than 10 houses or boil more than 27 kettles simultaneously.
6. Questions whether the technology is proven as an Archimedes screw is pump technology with 3,000+ years experience but only used as a generator for about ten years.
7. The net carbon savings are not quantified.

8. Hydroelectric power is a high cost source of renewable energy, wind power produces far more power at a lower cost and Bradford Council must have some land that would be suitable for this. Investment in reducing energy consumption is more cost effective and Bradford Council uses many buildings that waste energy.
9. How many solar panels could be installed for the cost of this scheme? It may be enough to produce far more power than the turbine and with less impact on the environment. It may be simpler and much cheaper to provide properties with free solar panels.
10. The scheme will not delivery the stated benefits of energy production or education.
11. The turbine has a ten-year lifespan requiring replacement of the screw and generator within this timescale; the average time for failure of the gearbox is probably between three and five years.
12. The only truly viable hydropower schemes would be retrofitting generators to the reservoirs built by Bradford Corporation in the late C19th and early C20th.
13. The designs are not suitable for an area of such beauty and historical significance.
14. Loss of (more) trees in Saltaire.
15. Roberts Park was a gift to the community for recreational use in perpetuity, accepted by Bradford Council, which is not suitable for the proposed industrial use. In Salt's day and since, no industrial activities were or have been located north of the river. Protection is given by the Deed of Gift under which Roberts Park was ceded to Bradford in 1920 by Sir James Roberts.
16. As a tourist attraction Saltaire should be excluded from such schemes, because of the unpredictable noise and the effect of an ugly and noisy building site, which will be present for months.
17. The turbine would be concealed in a bank of earth created when the original bridge was replaced in the 1950s. There is a potential to reinstate the bridge in its original location, which would be prejudiced by the need to fund screening of the application site from view. Removal of trees will open up the view on Victoria Road strengthening the case to reinstate the original bridge.
18. The scheme will do harm to, and cause the loss, of heritage assets.
19. Heritage and open space planning policies give the site protection from development. It is noted that some window frames in Saltaire must be painted a specific colour.
20. Saltaire World Heritage Site has considerable natural and historical beauty so a modern construction on the river itself so near the old mill building is inappropriate, failing to preserve the collective heritage.
21. The loss of Saltaire's intact urban plan due to the proposal undermining the integrity of Roberts Park and the World Heritage Site.
22. Harm to views upstream to the weir and downstream from the bridge would be detrimental to the historic context of the site, spoil the area for future generations and reduce its popularity.
23. Harm from damage to the location, removal of trees and construction of utilitarian buildings.
24. Lack of public consultation with local residents. Given the consultation process, it is disgusting how Bradford Council treats objectors to its plans; it is certain that the Council would reject any such plan made by anyone else.
25. The boom to keep rubbish away from the turbine will, by its nature, collect rubbish in a highly visible position.
26. The noise feasibility study only compares noise levels and not the type of noise.

27. The air cooling fans will make a mechanical noise distinct to the general background noise of the area. Many objectors note that their concerns would be reduced or addressed if a condition was imposed to provide a water cooling system, so that this 'flagship environmental green project' would set a high standard in a residential area and a World Heritage Site.
28. Noise during the construction and operation of the turbine will disturb local residents; legal rights will be investigated if disturbance is caused.
29. Noise travels easily across the river to Riverside Court, focused by topography and the position of buildings, harming residential amenity and the locally peaceful, tranquil environment.
30. Noise must be considered against the NPPF and RUDP.
31. The submitted Noise Impact Assessment accepts that it is not possible to predict with certainty the impact of the hydro scheme when in operation.
32. Residents in other parts of the country (e.g. at Fiddleford Mill, on the River Stour, Dorset) have been affected by noise from similar turbines.
33. The proposal is to air-cool the generator and gearbox; cooling by a water system is much quieter and require less maintenance, therefore this should be a condition of any planning permission.
34. 'New Mill' is a block of 97 flats so its residents are neighbours to this site; over 50 of the flats have bedrooms that face the river.
35. The site should not operate during anti-social hours or at weekends.
36. Such schemes should be implemented away from residential areas or in the many run down parts of Bradford that are not conservation areas.
37. Loss of tranquillity, recreation, children's play, dog-walking, school access, etc. facilities provided by Roberts Park, particularly during the construction phase.
38. The construction phase would cause great inconvenience to local residents and other users of the park, particularly the play area; disruption will last up to 18 months before the park can start to recover.
39. Reduce the value of property with implication for personal finances and investment in Saltaire.
40. Further constriction of the water flow by the proposal at the weir will seriously increase the risk of flooding on the adjacent buildings during any future high water events.
41. No consultation with/from Baildon Town Council, despite the site being within their boundary.
42. 'Sloppy' errors on the planning form questions the accuracy of other submitted details.
43. Saltaire Angling Association (SAA) has in excess of 400 members all of whom have (since 1867) the sole angling/sporting use of the River Aire around the site.
44. SAA has commenced legal proceedings against Bradford Council and the proposal; it is alleged that SAA has hence been excluded from consultations and updates.
45. The Environment Agency has confirmed that all the weir must not be tampered with due to the amount of toxins held behind them because, if released, they would 'wipe out all life in the river'.
46. The proposal would undermine the recent re-introduction of barbel and grayling into the River Aire as they gather to spawn on the gravels below the weir.
47. SAA has improved the environment and ecology of the river with no assistance from Bradford Council.
48. The proposed fish pass will be too steep for effective migration.
49. The submitted Ecological Assessment does not consider the effect of the scheme on the thousands of minnows, which ascend the weir and may make up over 95% of the fish in the river at Saltaire and are key to the ecology as a major food source.

50. Minnow migration takes place at low flows near the north wall of the weir but the existing unique conditions that enable this will be removed once construction takes place. This will have a negative impact on biodiversity and will also contravene the European Water Framework Directive.
51. Lack of knowledge about minnow migrations should be researched by the Environment Agency and the applicant to establish minnow ascent elsewhere on the weir.
52. The water intake screening is too small and would allow small fish to enter.
53. No response from the Environment Agency or any 'Fishpass Permit FP0020' form
54. The fishpass guidance dates from 2010 and was 'cobbled together' by the generator manufacturer; it is alleged that the Environment Agency and DEFRA had inadequate input because of 'treasury dictat'.
55. Detrimental impact on the local ecosystem.
56. Bradford Council was granted guardianship of the surrounding land within Roberts Park which does not include the river bed Contractors doing test drills were advised that without SAA consent (which we will not grant) they could not undertake any work within the weir or river that would alter or cause damage to SAA ownership/the river bed.

In Support:

1. There is an increasing threat from global warming.
2. The proposal is an opportunity for the Council to show leadership in clean, renewable energy generation.
3. Creation of energy resilience using local sustainable resources with surpluses invested in local services.
4. Fossil fuel depletion globally is leading to political instability and conflict; Bradford is not immune to such effects.
5. 2014 was the hottest year on record and projects like this are part of the transition to a post-carbon society.
6. This will add another source of energy to help achieve zero-carbon generation.
7. It will add interest to the World Heritage Site contrasting Victorian energy generation, where sustainability was not a consideration, with modern methods.
8. A good range of renewable energy schemes, most of them relatively small-scale like the proposal, is required to help combat climate change and Bradford Council has invested substantial monies in capital projects to move the city towards renewable energy sources.
9. The Council could look at the public benefits of a 'renewables tariff' for local people, perhaps in the form of funds for insulation, double-glazing, etc.
10. The proposal will bring environmental benefits, be an educational resource, improve wildlife welfare and enhance the tourist draw of the area.
11. There are hydro-power relics in the area already.
12. The proposal may actually improve part of the existing landscape whilst also generating much-needed clean energy.
13. A previous proposal provoked substantial public debate and the scheme now submitted addresses the concerns raised, particularly regarding visual intrusion.
14. The design is sympathetic to the industrial heritage of Saltaire, in keeping with the history of the site and the ethos of Sir Titus Salt. Although Saltaire is World Heritage Site it should not be 'frozen' in time and appropriate changes should be allowed. Such as the proposal.
15. The appearance of the construction is acceptable.

16. An Archimedes screw in operation at Hebden Bridge is almost silent such that many local residents do not know its there.
17. The scheme is likely to produce a 5dB rise in ambient noise levels at Riverside Court, which is perceptible but acceptable. Noise will increase over the temporary 12-week build period but a noise barrier, and other possible mitigation measures, can be implemented.

General Comments:

1. Noise must be considered against the NPPF and RUDP.
2. The submitted Noise Impact Assessment accepts that it is not possible to predict with certainty the impact of the hydro scheme when in operation.
3. Noise travels easily across the river.
4. Residents in other parts of the country have been affected by noise from similar turbines.
5. The proposal is to air-cool the generator and gearbox; cooling by a water system is much quieter, therefore this should be a condition of any planning permission.

Consultations:

None

Baildon Parish Council: No comments have been received.

Biodiversity Team: The Archimedes Screw and fish pass could have an adverse impact river ecology as it is to be sited where minnows appear to currently leap up the weir. The flow of the water over the other areas of the weir is too strong for the minnows to make progress. The Environment Agency's understanding of minnow migration is limited so further research should be undertaken and provision made for accommodating their migration, which can be conditioned.

British Horse Society: No comments received.

Canal and River Trust: The proposal will have no impact on the Leeds & Liverpool Canal so no comments are required.

Drainage Services Unit: The River Aire is monitored and maintained by the Environment Agency. The proposal must impose no additional loading or restrict the flow of a watercourse in the north bank.

English Heritage: The proposal would cause minor harm to the significance of heritage assets, including the Saltaire World Heritage Site, but there is also the potential to increase understanding and better reveal significance through appropriate interpretation. The principle of development is supported but the educational benefits would need to be secured in order for them to be considered as mitigation for any harm and therefore to be included in the weighing exercise required by para. 134 of the NPPF. Further information regarding the proposed interpretation should be submitted and circulated for comment prior to determination of the application. Issues relating to archaeological mitigation, materials and landscaping can be dealt with by conditions.

Environment Agency: No objection to the principle of development, subject to a condition requiring a multi-species fish pass to a design approved by the Environment Agency is provided over the weir. There are some alterations (and further details) required to the pass but these are not fundamental to the planning process and could be dealt with through the fish pass approval process. No objections are raised on flood risk grounds.

Environment and Sport Department: Support the application being located in Roberts Park as it would be an asset to the park and will have little detriment to either the operation or the historic landscape of Saltaire and the surrounding area.

Forestry Commission: The proposal will have no impact on any ancient native woodland.

Garden History Society: No comments received.

International Council on Monuments and Sites (ICOMOS) - i.e. the official adviser to UNESCO on cultural world heritage sites: No comments received.

Landscape, Design and Conservation Team: The submitted Heritage Statement complies with para. 128 of the NPPF and uses the ICOMOS 2010 Methodology for Impact Assessments; generally the assessment is supported. In summary, the World Heritage Site, the setting of grade II listed New Mill and Roberts Park Lodge, the listed park itself and the Saltaire Conservation Area are the most important heritage assets affected by the proposal, which is assessed as slight/adverse. The proposal does not constitute 'substantial harm' (NPPF para.138), however there should be substantial public benefits deriving from this proposal in order to justify this harm, which needs additional information on facing materials, a planting scheme, promotion of educational purposes, archaeological recording, retain potential to reinstate the Victoria Road bridge and contribution towards renewable energy targets.

Natural England: No comments received.

Rights Of Way Team: Temporary alternative access between Victoria Road and Coach Road must be suitable for all users; a temporary diversion order will be required. No objections raised to close/re-route the informal riverside path, which will not require a legal order.

Trees Team: Removal of trees would need a compensatory replanting scheme and those specimens that remain should be protected by fencing during construction; both these aspects can be conditioned.

West Yorkshire Archaeology Advisory Service: An archaeological watching brief during construction can be the subject of a condition.

West Yorkshire Ecology: Disturbance of the sediment and other accumulated toxins require specialist input from the Environment Agency. Removal of trees and the required bat survey indicates that they may be used for occasional Pipistrelle/ Daubenton's Bat roosting. The proposed precautionary measure for felling large trees that might have roosting bats is reasonable and can be conditioned.

Security lighting for any equipment should be designed to minimise the impact on feeding bats and otters using the river; a lighting plan can be conditioned. Work should not take place after dark in order to minimise disturbance.

Yorkshire Gardens Trust: Objections raised as the development will cause significant harm to the historic context of the north bank of the River Aire and Roberts Park, loss of bank vegetation/habitat to the detriment of angling and the applicant underestimates the site's significance to the area. Furthermore, the loss of trees and poor building design would harm the appearance of the landscape and the setting of a grade II listed park lodge, noise pollution affecting Roberts Park and the turbine will only produce power for 0.05% of Bradford District's households.

Yorkshire Water: No comments received.

Summary of Main Issues:

Background and principle of development

Heritage issues: Impact on heritage assets and visual amenity

Impact on amenities of occupiers of adjacent land

Other planning considerations

Other matters raised by representations

Appraisal:

Background and Principle of Development

The applicant explains that climate change is one of the biggest environmental challenges facing the world. Carbon dioxide produced by burning fossil fuels to generate electricity is the biggest single source of green house gas emissions, which are responsible for the problem. Renewable electricity generation technologies which, produce no, or result in lower greenhouse gas emissions, can make an important contribution to meeting requirements for future greenhouse gas reduction commitments. The Council supports the exploitation of renewable energy in addressing climate change, chiefly experienced locally as major flooding, traffic chaos in heavy snows and empty reservoirs in summer droughts. Over the coming years these extreme weather events are predicted to happen more frequently requiring a range of actions to minimise the impacts on local communities in the future.

The District's carbon emission amount to some 3,000,000 tonnes, 2% of this arises from the Council's own operations such as heating swimming pools, leisure centres, care homes, schools, children's centres, etc. Accordingly, the Council is aiming for a 40% cut in District-wide carbon emissions by 2020 (using 2005 as a baseline year) in co-operation with action by residents and businesses.

This aim is translated into planning policy nationally by the NPPF (chiefly paras. 93 to 99) and locally by the RUDP. The NPPF notes that: 'Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions...and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.' The NPPF (chiefly paras. 93 to 99) goes on to state: 'when determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable.'

The relevant RUDP policies UR2 and NR12 are generally in conformity with the NPPF. The application site as a whole includes a relatively small section of land that is included within the Green Belt. However, the turbine building and fish pass are outside of this allocation and so the building and engineering works involved would have no adverse impact on its openness of the green belt or the purposes of including the land in it.

Whilst the site is in a World Heritage Site, this does not necessarily preclude development as a matter of principle, instead requiring an assessment of any harm and mitigation, which is addressed in more detail below.

For these reasons the principle of the proposed development is acceptable and supported by planning policy.

Heritage Issues: Impact on Heritage assets and visual amenity

The site is located within Saltaire World Heritage Site, a designated heritage asset of the highest significance (NPPF para. 132). It is in the Saltaire Conservation Area and the grade II registered Roberts Park. There are a number of other heritage assets in the setting of this site which contribute to the significance of the proposed development site through their historical heritage, evidential, aesthetic and communal values. They include the grade II listed New Mill and Roberts Park Lodge plus the riverbank walls, Salts Mill weir, the parkland within the development site and the remains of the Victoria Road Bridge.

Development in world heritage sites should look for opportunities to make a positive contribution to the 'outstanding universal value' of the site through better revealing or enhancing the understanding of the special attributes of the site (NPPF para. 137) and providing public benefits (NPPF para. 134). RUDP policies S/BH14, BH4A, BH7 and BH16 also apply to this development.

Accordingly, a detailed Heritage Statement has been submitted with NPPF (para. 128 and using the ICOMOS 2010 Methodology for Impact Assessments, the findings of which are generally supported. In summary the proposal would have, at worst, a slight adverse effect on the most important heritage assets, i.e. the World Heritage Site, the setting of New Mill, Roberts Park, its Lodge and Saltaire Conservation Area. Mitigation of these slight/adverse impacts involve retention of the visual connections between the weir and New Mill, potential re-construction of the Victoria Road Bridge and the viewing platform will enable further appreciation of the river, the turbine and the weir; further information has been provided on the proposed natural stone construction materials. Additional planting and removal of invasive vegetation will benefit the river setting and the conservation area and also have the potential to mitigate any adverse visual intrusion of this development to make the development subservient to other historic built forms in the locality. Other details such as choice of railings and the replacement native trees will be sympathetic to the listed park.

The new topography would still enable the viewer to see the view across to New Mill and from an additional and slightly elevated position. The relationship with New Mill and the Weir can still be understood from the view and the understanding of the architectural qualities of Saltaire and the river location are still be able to be understood. However, the introduction of the turbine building and viewing platform will have some visual and physical impact and on the setting of Saltaire World Heritage Site. Aesthetically the view will be altered by the addition of a new structure, hence the above-noted slight harm to visual amenity.

In conclusion, the proposal does not constitute 'substantial harm' as per the NPPF (para. 138.) given the relatively high significance of the world heritage site, there should be substantial public benefits deriving from this proposal in order to justify this harm. This is brought in the form of use of appropriate materials, additional landscaping, opportunity for archaeological recording and retained potential for restoration of Victoria Road Bridge. The use of the new vantage point, its surroundings, the glazed viewing area and footage from webcams within the screw for educational purposes would require further detailing (e.g. the design, content and location of interpretative signage, seating and how a website using webcams might be utilised by schools and other learners, location of webcams, consultation with schools and educational programming) can be conditioned.

In terms of the impact on the architectural fabric of the heritage areas, the enabling works require some small-scale temporary dismantling of three stone pillars, associated metal railings and stone plinth, and formation of temporary pedestrian access in the boundary wall of Roberts Park. These works would not prejudice the long-term heritage of the locality; these aspects are dealt with in more detail under 15/00044/LBC.

Impact on amenities of occupiers of adjacent land

The development is of a scale and location that would cause no harm through any additional excessive overshadowing, over-dominance, loss of outlook or overlooking. The chief amenity issue of concern would be any additional noise and disturbance created by the operation of the turbine on nearby offices; a nearby public house; residential properties to the north and south banks of the river; and users of Roberts Park.

The turbine would be substantially enclosed by the building set into the riverbank and it has been established from noise measurements of a similar scheme that there will be no significant adverse impacts from the operational phase of the proposed scheme when compared to baseline situation. Noise modelling has been used to review the emission of the development at all surrounding locations against existing background noise levels. Assessment in accordance with the principles of BS:4142 indicates that complaint is unlikely from operation of the turbine as a rating assessment of less than -5dB is achieved as required by the Council's Environmental Health Department.

It is acknowledged that there will be increased noise, vibration, disturbance and disruption to access during the anticipated 23-week construction phase however this is a temporary period and the development cannot be reasonably refused for this reason; the Council is able to reasonably control some aspects of the construction phase through conditions, which are noted below.

Other Planning Considerations

Impact on Rights of Way: Public Bridleway No. 506 (Baildon) links from Victoria Road, over the footbridge and through Roberts Park to emerge through the gates next to the Lodge and is very well used by pedestrians, particularly at the beginning and end of the school day. It is also used by equestrians and cyclists (who must push their bicycle over the footbridge); an alternative footway to Coach Road during the construction phase is being provided by removal of a section of fencing and wall, which will require a temporary diversion order. There will be a need for machinery to cross the line of the bridleway during construction work, to gain access to the river bank upstream of the footbridge, a safe system for which should be agreed with the Rights of Way Team. The proposal would also divert the informal riverside path and this route will be closed for the duration of the construction phase. This informal pathway is not a formal right of way, which raises no particular issues and would not require a legal order.

Impact on Biodiversity: The NPPF (para. 109) recognizes that the planning system should aim to conserve and enhance biodiversity, the natural and local environment by minimizing impacts on wildlife and providing net gains where possible. The NPPF (para. 118) also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

The Environment Agency advises that making the weir passable to fish would restore the longitudinal connectivity of the river corridor for fish by enabling natural fish movements to take place along the river. This is in line with the NPPF. Removal of some mature trees could potentially have an impact on bats but a condition has been suggested to require precautionary methods to ensure tree removal has minimal impact on protected species.

The proposal raises no other planning-related matters such as highway safety, archaeology, accessibility, contamination, etc. that cannot be controlled by conditions or compliance with the requirements of other agencies and legislation.

Other Matters Raised by Representations

The proposal sets a bad precedent.

Response: It is a well-established planning principle that each application is assessed on its own merits thus the concept of precedent does not arise.

The proposal cannot be justified against the NPPF and Planning Policy Statement 5: 'Planning for the Historic Environment'.

Response: Assessment against the NPPF has been undertaken in the above report. Planning Policy Statement 5 was cancelled and replaced by the NPPF and so is no longer relevant.

Roberts Park was a gift to the community for recreational use in perpetuity, accepted by Bradford Council, which is not suitable for the proposed industrial use. In Salt's day and since, no industrial activities were or have been located north of the river. Protection is given by the Deed of Gift under which Roberts Park was ceded to Bradford in 1920 by Sir James Roberts.

Response: The proposal does not prejudice the use of Roberts Park for a wide range of formal or informal recreational activities. It may be argued that the provision of the turbine and fish pass would encourage visitors to come to the park.

Lack of public consultation with local residents. Given the consultation process, it is disgusting how Bradford Council treats objectors to its plans; it is certain that the Council would reject any such plan made by anyone else.

Response: Prior to the planning application being received the applicant undertook community involvement events. On submission of the application publicity measures were undertaken that go beyond the requirements of the relevant planning legislation; this has generated a significant response from the general public as detailed in the above report. All planning applications, irrespective of the applicant, are assessed on their own merits against the NPPF and the RUDP policies in a standard manner.

The boom to keep rubbish away from the turbine will, by its nature, collect rubbish in a highly visible position.

Response: This is a maintenance rather than a planning issue.

Such schemes should be implemented away from residential areas or in the many run down parts of Bradford that are not conservation areas.

Response: The proposal is for the particular site in question and so has been assessed on that basis. As noted above, each application must be assessed on its own merits.

Reduce the value of property with implication for personal finances and investment in Saltaire.

Response: These issues are controlled through market forces and are beyond the remit of the planning system.

'Sloppy' errors on the planning form questions the accuracy of other submitted details.

Response: The application was accepted as valid against national and local requirements, and consultation with statutory bodies has found the submitted information to be acceptable.

SAA has commenced legal proceedings against Bradford Council and the proposal; it is alleged that SAA has hence been excluded from consultations and updates.

SAA has improved the environment and ecology of the river with no assistance from Bradford Council.

Response: These points raise no material planning-related considerations.

The Environment Agency has confirmed that all the weir must not be tampered with due to the amount of toxins held behind them because, if released, they would 'wipe out all life in the river'.

Response: Consultation with the Environment Agency shows support for the proposal.

SAA has improved the environment and ecology of the river with no assistance from Bradford Council.

The proposed fish pass will be too steep for effective migration.

The submitted Ecological Assessment does not consider the effect of the scheme on the thousands of minnows, which ascend the weir and may make up over 95% of the fish in the river at Saltaire and are key to the ecology as a major food source.

Minnow migration takes place at low flows near the north wall of the weir but the existing unique conditions that enable this will be removed once construction takes place. This will have a negative impact on biodiversity and will also contravene the European Water Framework Directive.

Lack of knowledge about minnow migrations should be researched by the Environment Agency and the applicant to establish minnow ascent elsewhere on the weir.

The water intake screening is too small and would allow small fish to enter.

No response from the Environment Agency or any 'Fishpass Permit FP0020' form

The fishpass guidance dates from 2010 and was 'cobbled together' by the generator manufacturer; it is alleged that the Environment Agency and DEFRA had inadequate input because of 'treasury dictat'.

Response: The fish pass will require separate approval by the Environment Agency and is also subject of a condition so that the Local Planning Authority can control aspects of detail and ensure that the fish pass is constructed as an integral component of the hydropower scheme. The fish pass is suitable for the following species in this location: salmon, trout, grayling and riverine coarse fish (dace, chub and barbel).

Bradford Council was granted guardianship of the surrounding land within Roberts Park which does not include the river bed Contractors doing test drills were advised that without SAA consent (which we will not grant) they could not undertake any work within the weir or river that would alter or cause damage to SAA ownership/the river bed.

Response: These points raise no material planning-related considerations.

The Council could look at the public benefits of a 'renewables tariff' for local people, perhaps in the form of funds for insulation, double-glazing, etc.

Response: This is not a planning matter.

Community Safety Implications:

The proposal raises no implications for community safety.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

Conclusion:

For the reasons explained in the above report, the proposal is acceptable when judged against the relevant policies in the RUDP and the National Planning Policy Framework. The points raised by representations have been carefully considered and some have been addressed by amendments to the proposal. However, the objections are not considered to be of sufficient weight to go against the policy support for the proposals and so the proposal is recommended for approval subject to planning conditions.

Reason for Granting Planning Permission

The proposal would relate satisfactorily to the character of the surrounding area and would have no adverse impact on heritage assets, residential amenity, biodiversity or any other planning-related matters. As such the proposal is considered to be in accordance with the above-noted RUDP policies and the compatible with objectives of the NPPF.

Conditions of Approval

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).Materials

2. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing materials, including their coursing and pointing, to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials to safeguard the appearance of the Saltaire World Heritage Site and Saltaire Conservation Area in which it is located, the setting of listed buildings and Roberts Park, in the general interests of visual amenity and to accord with policies UR3, D1, BH4A, BH7, S/BH14 and BH16 of the Replacement Unitary Development Plan.

3. The development shall not begin until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:-
 - i) Position of trees to be felled, trees to be retained, proposed trees to be planted and defined limits of shrubs and grass areas.
 - ii) Numbers of trees and shrubs in each position with size of stock, species and variety.
 - iii) Proposed topsoil depths for grass and shrub areas.

- iv) Types of enclosure (fences, railings, walls).
- v) Types of hard surfacing (paving, tarmac, etc.).
- vi) Re-graded contours and details of changes in level.

All hard and soft landscape works shall be carried out in accordance with the approved details prior to the first operation of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the historic context of the site, visual amenity and to accord with policies UR3, D1, D5, BH7, BH10, BH11, BH16 and NE12 of the Replacement Unitary Development Plan.

4. The development shall not be begun, nor shall there be any demolition, site preparation, groundworks, tree removals, or materials or machinery brought on to the site until temporary tree protective fencing is erected in accordance with the details submitted on a tree protection plan to BS5837 (2012) (or its successor) approved by the Local Planning Authority. The temporary tree protective fencing shall be erected in accordance with the approved plan, or any variation subsequently approved, and remain in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place between the temporary tree protective fencing and the protected trees for the duration of the development without written consent by the Local Planning Authority.
- Reason: To ensure trees are protected during the construction period and in the interests of visual amenity, to safeguard the visual amenity provided by the trees on the site and to accord with policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.
5. Prior to any trees being felled on site as part of the development hereby approved the following measures shall be carried out:-
- (i) The tree(s) shall be inspected for evidence of features potentially used by bats by trained arboricultural specialists. If no features to support roosting bats are discovered the tree-felling can commence.
 - (ii) Any features suitable for use by bats should then be examined for confirmed or suspected use by bats
 - (iii) If bat presence is suspected or confirmed a mitigation plan will be required to be agreed with Natural England before any further works are undertaken.
 - (iv) As a precaution any trees with bat roosting features, but no confirmation of use should be cut by hand in manageable sections and lowered carefully to the ground, where they must be left for 24 hours before removal from the site.
- Reason: To militate against any affect on protected species of bats through the loss of trees and to accord with policies NE9, NE10 and NE11 of the Replacement Unitary Development Plan.

6. Notwithstanding the provision of Class A, Part 4 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent legislation, the development hereby permitted shall not be begun until a plan specifying arrangements for the management of the construction site has been submitted to and approved in writing by the Local Planning Authority. The construction plan shall include the following details:-
- i) Full details of the contractor's means of access to the site including measures to deal with surface water drainage.
 - ii) Hours of construction work, including any works of demolition.
 - iii) Hours of delivery of materials.
 - iv) Location of site management offices.
 - v) Location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site.
 - vi) The extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients.
 - vii) Temporary warning and direction signing on the approaches to the site.
- The construction plan details as approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and adhered to at all times until the development is completed. In addition, no vehicles involved in the construction of the development shall enter or leave the site of the development except via the temporary road access comprised within the approved construction plan.
- Reason: To ensure the provision of proper site construction facilities on the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with policies UR3, TM2, TM19A, D1 and P7 of the Replacement Unitary Development Plan.
7. Prior to the development commencing details of the type, position, angle of glare and hours of operation of any security/flood lighting shall first be submitted to and approved in writing by the Local Planning Authority. The details and measures so approved shall be carried out in full.
- Reason: In the interests of biodiversity and residential amenity, and to accord with policies UR3, D1, NE9, NE10 and NE11 of the Replacement Unitary Development Plan.
8. The development hereby approved shall not be brought into use until a scheme providing for multi-species fish passage over Saltaire Weir has been submitted to and approved in writing by the Local Planning Authority. The scheme itself shall comprise the following features:-
- (i) The turbine and screening installed must be of a size and specification approved by the Environment Agency prior to construction.
 - (ii) The fish pass, eel pass and notch design must be approved by the Environment Agency prior to construction.
 - (iii) The apron extension must be approved by the Environment Agency prior to construction.

The works to provide multi-species fish passage shall then proceed in accordance with the detailed design and timescales as submitted and agreed in writing by the Local Planning Authority.

Reason: To accord with policies NE9, NE10 and NE11 of the Replacement Unitary Development Plan.

Footnotes:

1. The affected public bridleway must not be obstructed by any plant, materials or equipment. Any obstruction of the route constitutes an offence under the Highways Act 1980 and will be pursued accordingly.

Even though planning permission is granted, no new stiles, gates, barriers or other structures can be erected on or across a public right of way without prior approval from the Council's Rights of Way Section. The requirements of the Equality Act must also be considered.

If work alongside the public bridleway presents a danger to path users the affected section should be fenced off with safety netting.

The surface of the bridleway should not be disturbed, however, if damage to the public bridleway is caused by development works it must be promptly repaired by the applicant at their expense. If any changes are proposed that would affect the surface in any way these must be approved, in advance, by the Rights of Way Section.

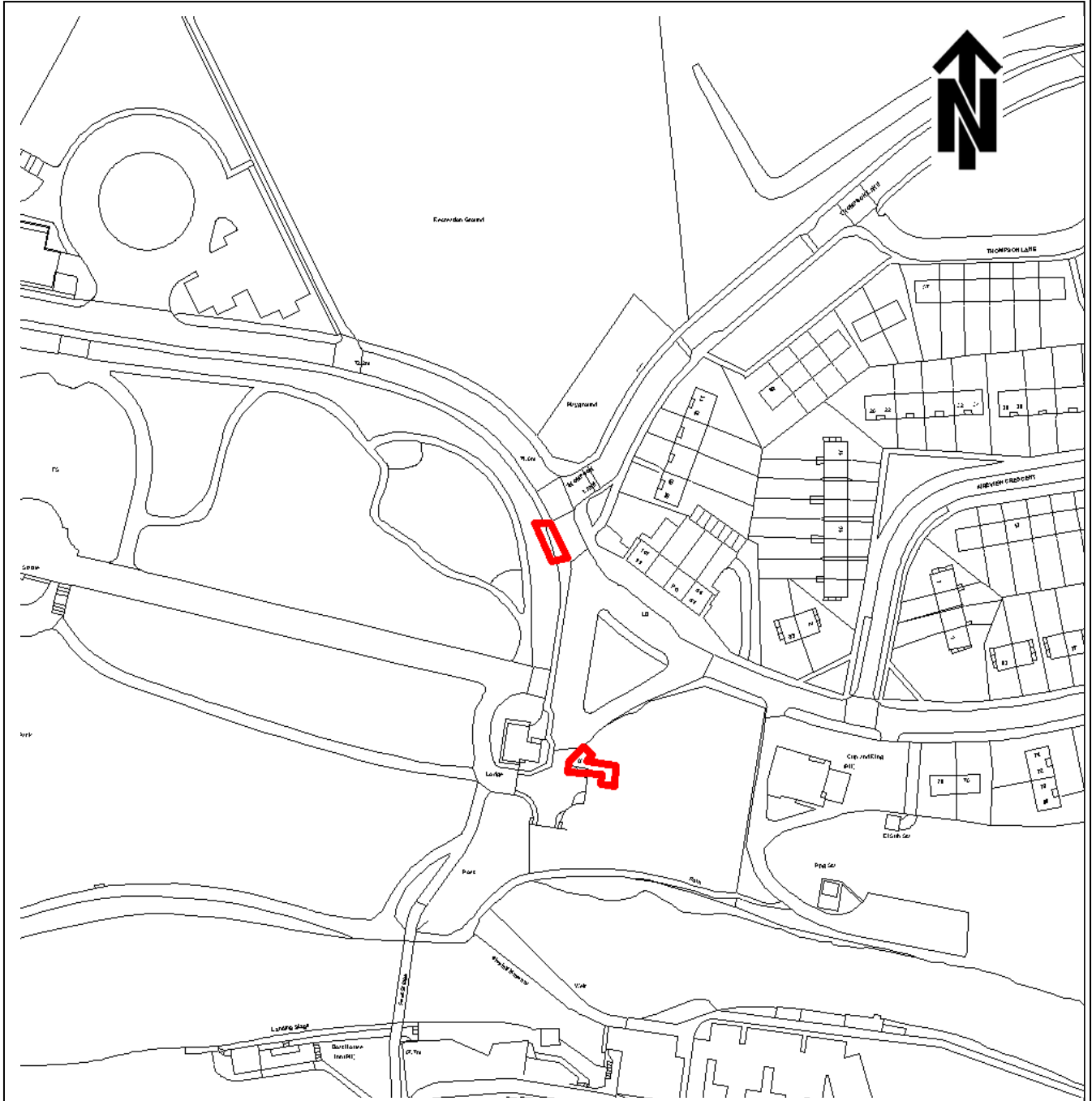
Throughout the period of development, the line of the bridleway must be indicated on site. If building works remove features that would enable users to find the bridleway the line of the bridleway must be clearly indicated by some other means, as this will help to minimise conflict and difficulties on site.

2. Under the terms of the Water Resources Act 1991, and the Yorkshire land drainage byelaw, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Aire, designated a 'main river'. It is noted that the submitted Flood Risk Assessment identifies the temporary works to the construction. Consent for temporary works must also be obtained by the Environment Agency prior to works commencing on site. It is recommended that the applicant consults the Environment Agency while compiling the consent application and prior to any submission. Please note that consent can take up to eight weeks from the submission of complete application.
3. The proposal includes works that may affect species protected by the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, etc.) Regulations 1994 and the Countryside and Rights of Way Act 2000. If any such species are uncovered during the development, works must stop immediately and Natural England consulted for further advice.

Area Planning Panel (Keighley & Shipley)

15/00044/LBC

29 April 2015



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<p>ITEM NO. : 4</p>	<p>LOCATION:</p> <p>The Lodge Roberts Park, Coach Road Baildon</p>
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29 April 2015

Item Number: 4
Ward: SHIPLEY
Recommendation:
THAT LISTED BUILDING CONSENT BE GRANTED

Application Number:
15/00044/LBC

Type of Application/Proposal and Address:

An application for listed building consent for temporary dismantling of three stone pillars, associated metal railings and stone plinth, and formation of temporary pedestrian access in boundary wall to Coach Road associated with construction of new hydropower scheme at 'The Lodge' and Roberts Park, Coach Road, Saltaire, Shipley.

Applicant:

Neill Morrison, City of Bradford Metropolitan District Council

Agent:

Susan Amaku, Woodhall Planning & Conservation

Site Description:

The application site comprises two separate elements covering some of the railings and piers that form part of an access point close to Roberts Park Lodge and a small section of the park and its boundary wall. The surrounding area includes a mix of residential property, such as post-war semi-detached (Council) housing, newly built units, along with retail premises, the main body of Roberts Park itself and a footbridge over the River Aire linking its north and south banks. The site is on the northern edge of both the Saltaire World Heritage Site and its conservation area.

Relevant Site History:

15/00040/FUL: Construction of an Archimedes screw hydropower scheme and associated fish passes at Salts Mill weir, also presented to this Area Planning Panel for determination.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is not allocated for any specific land-use in the RUDP however it is included within the Saltaire World Heritage Site and its Conservation Area, and part is within the Green Belt. The site is also within a 500-metre buffer to 'Ancient and Semi-Natural Woodland' at Walker, Midgeley and Fairbank Woods that include a 'Site of Ecological or Geological Importance' and within a 2km buffer to 'Trench Meadows', a Site of special Scientific Interest. Taking account of policies saved for the purposes of formulating the Local Plan for Bradford, the following RUDP policies are applicable to the proposal.

Proposals and Policies

BH4: Alteration, Extension or Substantial Demolition of Listed Buildings

BH4A: Setting of Listed Buildings

BH7: New Development in Conservation Areas

BH9: Demolition within a Conservation Area

BH10: Open Space Within or Adjacent to Conservation Areas

BH11: Space about Buildings in Conservation Areas

S/BH14: World Heritage Site

BH16: Historic Parks and Gardens

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Baildon - The Town Council is concerned that the size of this extension will make the property incongruous with the immediate surrounding community.

Publicity and Number of Representations:

Receipt of the application was publicised by means of site and press notices. The publicity period expired on 12 February 2015. At the time of writing this report the Local Planning Authority has received one objection. Panel members will be verbally updated of any further representations received.

Summary of Representations Received:

Extensive disruption and inconvenience to the very well-used Roberts Park during installation of the hydropower scheme.

Refurbishment of the Roberts Park was completed in 2010 using Heritage Lottery funding. The value of the hydropower scheme is debatable.

Consultations:

Baildon Parish Council: No comments received.

Design and Conservation Team: (see 15/00040/FUL) No objections raised to the proposed enabling works.

Appraisal:

This application is for listed building consent and therefore this appraisal can only consider the impact on the character and appearance of the historic context of the site and its wider context.

Heritage Impact

The proposed construction of the weir turbine which is the subject of planning application 15/00040/FUL will require access for plant and machinery to the site, which is currently only generally accessible via a footbridge over the River Aire or by paths through Roberts Park. Consequently, the only access for construction vehicles must be formed from the nearest point of the public highway, which is Coach Road to the north of the river. The proposal would temporarily dismantle part of the boundary comprising three stone piers and the associated metal railings and to store these materials on site for the duration of the turbine construction period.

Following completion of the turbine the dismantled items would be reinstated in their original locations. Also, for the duration of the same construction period an alternative pedestrian access will be required and the proposal is to temporarily re-open the former pedestrian access onto Coach Road, which was closed during the Roberts Park regeneration project in 2009. A section of the metal railings and stone dwarf wall will be removed to form the pedestrian access and will be reinstated upon completion of the construction of the turbine scheme.

Being Grade II listed the pillars, the stone plinth, railings and park wall are of historic value though this is tempered for the wall and railings that were extensively altered as part of the 2009 regeneration. It is also noted that the works are a temporary solution and the items would be reinstated. Accordingly, the proposal would not result in permanent substantial harm to the historic context of the site and would enable continued access during the works to the benefit of the general public during this period of disruption. The proposal is therefore compliant with the NPPF and the relevant policies of the RUDP.

Other Matters Raised by Representations

The matters raised in objection to this application relate more to the associated turbine proposal (see 15/00040/FUL) and the points made have been addressed as part of that appraisal.

Reason for Granting Planning Permission

The proposal would relate satisfactorily to the historic character of the site and surrounding area in accordance with the above-noted RUDP policies.

Conditions of Approval

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 18 of the Planning (Listed Buildings Conservation Areas) Act 1990 (as amended).

2. This consent does not permit the demolition of any structures other than those specifically identified in the approved plans attached hereto.

Reason: For avoidance of doubt as to the extent of the demolition being approved and in the interests of the character and appearance of the site's historic context in accordance with policies BH4, BH4A, BH9, S/BH14 and BH16 of the Replacement Unitary Development Plan.

3. The following materials/features identified on the approved plans shall be carefully taken down, stored and re-erected, all in a manner and timescale to be agreed in writing by the Local Planning Authority prior to works commencing:-

- (i) Piers, plinth and railings adjacent to Roberts Park Lodge, and
- (ii) Boundary walling and railings of Roberts Park adjacent to Coach Road.

Reason: To ensure their availability for future use in the interests of the character and appearance of the site's historic context in accordance with policies BH4, BH4A, BH9, S/BH14 and BH16 of the Replacement Unitary Development Plan.

4. The applicant shall at all times take steps to secure the safety and stability of those adjacent structures that are to be retained.

Reason: So that the structures are retained for the future in the interests of the character and appearance of the site's historic context in accordance with policies BH4, BH4A, BH9, S/BH14 and BH16 of the Replacement Unitary Development Plan.
